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Congress of the United States
House of Representatives

Statement by Rep. Jim Moran
at the
Air Pollution Control Board Meeting
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Good evening and thank you for the opportunity to comment on the state's proposed comprehensive operating permit for Mirant's Potomac River Generating Station.

I appreciate that this hearing is open and located here in Alexandria, near the people and communities that are most directly affected by the plant's operations. I also wish to express my appreciation for your past rulings on Mirant and its stack merger proposal.

My views regarding the Mirant plant have not changed since my last statement to this board. This plant should be shut down.

While I did not expect the Virginia Department of Environmental Quality to adopt this position, I find the proposed draft comprehensive operating permit seriously deficient.

In my mind, it defies common sense for the Department of Environmental Quality to accommodate this plant, given its past

We already know that the Washington Metropolitan Region is not in compliance for PM_{2.5}.

The Potomac River Generating Stations is the single largest stationary source of PM_{2.5}.

For DEQ to use a PM₁₀ standard is a clear example of accommodation, particularly when other states are already using the PM_{2.5} standard.

There is no dispute among the scientific community about the harmful impacts of PM_{2.5}.

Yet, this permit, as proposed, does not comply with PM_{2.5} National Ambient Air Quality Standards (NAAQS).

The people around this plant are entitled to breathe air that complies with all the NAAQS.

The Air Pollution Control Board must insure that any permit issued under its watch will meet the NAAQS, especially PM_{2.5}.

Similarly the Clean Air Interstate Rule and the Clean Air Mercury Rule should be reflected in the permit, since both will be enforceable within the next few years.

For DEQ not to address these future but certain requirements is irresponsible and shortsighted. Such an action would deny Alexandrians the benefits of healthier air.

Third, while I appreciate the fact that this permit will, for the first time, place limits on additional harmful toxins like hydrochloric acid (HCl) and hydrogen fluoride (HF), the overall emission limits would allow an increase in operations above the

levels deemed safe while it was regulated by the federal government under emergency authority.

According to the analysis performed by City of Alexandria, the limits, as proposed by this permit, would allow Mirant to burn more coal without additional controls.

This will result in increase in particulate emissions over the levels set in 2005-2006. Given the age of this plant, the current configuration of this plant, and urbanized area this plant is located in, any increase in emissions is unacceptable.

Fourth, the continued use of high volumes of trona merits serious concerns. Monitors clearly show that opacity measures increase with the use of trona. Can anyone credibly maintain that particulate matter decreases when opacity increases?

If electrical production were allowed to increase, as would be allowed under the proposed permit, then particulate matter emissions would similarly increase.

As I noted in my previous statement, Mirant has never fully complied with part of EPA's June 2006 administrative order to complete a trona New Source Review applicability analysis.

Mirant's limited analysis is misleading and totally inadequate.

And now, under this proposed permit, the state would sanction the use of trona as an integral part of the plant's long term control strategy.

Before sanctioning the permanent use of trona, the state should learn more about its potential adverse health effects given the fact that silica, a known carcinogen, is one of its ingredients.

Further, the proposed permit allows for sodium bicarbonate to be used as an alternative to trona.

I understand the City is not opposed to such testing as long as it includes a complete and thorough analysis.

It is premature to approve the use of sodium bicarbonate as part of this permit without such an analysis.

Needless to say, this plant continues to merit the special attention of this board and the Virginia Department of Environmental Quality.

Despite an incredible number of hours that you and the department have expended on this power plant, I remain troubled by how little we do know and how much progress remains to be done to protect the public's health from harmful emissions.

I look forward to following your progress on this most critical issue.

Thank you

violations, its efforts to deceive the public, its attempts to antagonize or intimidate state officials, especially since it does not even provide power to Virginians.

There are serious health issues at stake here that should not take a back seat to private economic interests and profitability.

First, it troubles me to learn that there was only a cursory evaluation performed by the department in its determination that three significant modifications: the use of trona, the installation of low NOx burners (LNB), and the installation of separate overfire air (SOFA) technology, that altered the operations of this plant did not trigger a New Source Review (NSR).

It is my understanding that the Environmental Protection Agency (EPA) may have taken issue with the state's determination, and I have asked EPA to make its findings public.

I hope to submit these findings in time to be a part of this record and encourage you to consider modifications to this permit to address any concerns raised by EPA.

If these actions do not merit new source review individually, then certainly their cumulative impact on the plant's operations merits a new source review.

Second, in order for this permit to be truly a comprehensive permit, it should address not just current but any future anticipated compliance issues.